

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MARSHALL WILLIAM STEWART,	)	
	)	
Plaintiff,	)	No.: 1:07-cv-6172
	)	
v.	)	The Honorable Judge Zagel
	)	
TOM DART, et al.,	)	Magistrate Judge Denlow
	)	
Defendants	)	
	)	
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**STEVEN E. SCHWARZ' MEMORANDUM IN SUPPORT  
OF MOTION FOR LEAVE TO WITHDRAW AS COURT-APPOINTED COUNSEL**

Plaintiff's court-appointed attorney, Steven E. Schwarz of the Law Offices of Steven E. Schwarz, (hereafter, "Attorney") hereby respectfully moves this Court for leave to withdraw as counsel for plaintiff Marshall Stewart, (hereafter, "Client"). In support of his motion, Schwarz states as follows:

**INTRODUCTION**

On October 25, 2007, Client filed his *pro se* Complaint.

On March 26, 2008, the Court dismissed Client's Complaint and appointed Attorney to represent Client.

On October 13, 2010, the Court denied, in part, the defendants' motion to dismiss Client's Second Amended Complaint and allowed the remainder of Client's cause of action to proceed to discovery.

**ARGUMENT**

Irreconcilable differences have arisen between Attorney and Client. These differences have led to a conflict of interest and a breakdown of trust preventing Attorney from ethically continuing in his representation of Client.

Attorney has been diligent in his representation of Client, having successfully reinstated Client's dismissed cause of action and defeating, in part, the opposition's subsequent motion to dismiss.

**CONCLUSION**

For the reasons argued above, the Court should grant Attorney's Motion for Leave to Withdraw as Court-Appointed Counsel and allow Attorney to file the proposed Notice of Withdrawal attached hereto as Exhibit A.

DATED: December 17, 2010

Respectfully submitted,

STEVEN E. SCHWARZ

By: /s/ Steven E. Schwarz, Esq.  
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Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I, Steven E. Schwarz, an attorney, hereby certify that on this 17th day of December, 2010, I filed the foregoing Memorandum in Support of Motion for Leave to Withdraw as Court-Appointed Counsel using the Court's CM/ECF system which will send an electronic copy of the document to counsel named below and registered with that system.

By: /s/ Steven E. Schwarz  
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